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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IYO, INC.

Plaintiff,

v.

IO PRODUCTS, INC., OPENAI, INC.,  
OPENAI, LLC, SAM ALTMAN, and SIR  
JONATHAN PAUL IVE,

Defendants.

Case No. 3:25-cv-4861-TLT

**JOINT STATEMENT RE TENTATIVE  
CASE SCHEDULE**

Case Assigned to Hon. Trina L. Thompson  
Courtroom 9

Date: July 31, 2025  
Time: 2:00 p.m.  
Location: By Videoconference Only

Complaint Filed: June 9, 2025  
Trial: January 10, 2028

Pursuant to the Court's July 17, 2025 Minute Order (ECF 73), Plaintiff IYO, INC. ("Plaintiff") and Defendants io Products, Inc., OpenAI, Inc., OpenAI, LLC, Sam Altman, and Sir Jonathan Paul Ive (collectively, "Defendants") respectfully submit this Joint Statement regarding the Court's Tentative Case Schedule (ECF 74).

First, the Court requested the parties provide a status update regarding the appeal pending before the Ninth Circuit (ECF 71). The parties provide the following update: On July 17, 2025, the Court of Appeals granted in part the parties' motion to expedite setting the following schedule for Defendants' appeal:

- Opening Brief: July 24, 2025
- Answering Brief: August 14, 2025
- Reply Brief: August 28, 2025
- Hearing: November 2025 calendar

The hearing on Defendants' appeal for the November calendar, which is the next available calendar, is scheduled between November 17-21, 2025.

Second, the parties agree to the deadlines provided in the Court's Tentative Case Schedule (ECF 74), subject to modification for good cause, with the exceptions noted below.

As noted, the Ninth Circuit Court of Appeals will not have issued its decision prior to the tentative deadline currently set for Plaintiff to file its opening brief for its motion for preliminary injunction, and for Defendants to file their opening brief on its anticipated motion to dismiss. In the interest of judicial efficiency, "to secure the just, speedy, and inexpensive determination of every action," Fed. R. Civ. Proc. 1, and with good cause appearing, the parties agree, subject to Court approval, to modify the briefing schedule for Plaintiff's motion for preliminary injunction and Defendants' anticipated motion to dismiss as follows:<sup>1</sup>

<b><u>Event</u></b>	<b><u>Tentative Date (ECF 74)</u></b>	<b><u>Agreed Date</u></b>
Opening Brief	November 21, 2025	February 20, 2026
Opposition	December 19, 2025	March 13, 2026

<sup>1</sup> Defendants' agreement, and participation in this action, is without prejudice to or waiver of their position that this case is not ripe and this Court thus lacks subject matter jurisdiction.

Reply	January 9, 2025	March 27, 2026
Hearing	January 27, 2026	April 14, 2026

As to the hearing on Plaintiff's Motion re: Order to Show Cause, Plaintiff agrees to waive oral argument. Given the severity of Plaintiff's requested relief, Defendants do not agree to waive oral argument at this time.

In light of the above agreement, unless the Court would prefer that the parties appear, the parties respectfully request that the further CMCs set for July 24, 2025 (ECF 73-1) and July 31, 2024 (ECF 74), be vacated.

1 Dated: July 23, 2025

MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO,  
P.C.

2  
3 By: /s/ Andrew D. Skale

4 Andrew D. Skale (211096)  
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7 Anthony J. Viola (*pro hac vice*)  
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9 LWD ADVISORS, INC.  
10 Jeff Hyman (171896)

11 Attorneys for Plaintiff  
12 IYO, Inc.

13 Dated: July 23, 2025

QUINN EMANUEL URQUHART & SULLIVAN, LLP

14 By: /s/ Margret M. Caruso

15 Margret M. Caruso  
16 Sara L. Pollock

17 Attorneys for Defendants  
18 io Products, Inc., OpenAI, Inc., OpenAI, LLC and Sam  
19 Altman

20 Dated: July 23, 2025

JONES DAY

21 By: /s/ Meredith M. Wilkes

22 David C. Kiernan  
23 Meredith M. Wilkes

24 Attorneys for Defendant  
25 Sir Jonathan Paul Ive  
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**CIVIL L.R. 5-1(i)(3) ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that the content of this document is acceptable to Margret Caruso, Meredith Wilkes, attorneys for Defendants, and that I obtained Ms. Caruso's and Ms. Wilkes' authorization to file this document, indicated by a /s/ in lieu of signature(s) on this document.

/s/ Andrew D. Skale

Andrew D. Skale